IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 20.03.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice J.A.K.SAMPATHKUMAR

Habeas Corpus Petition No.278 of 2006

V.Sundararajan ... Petitioner

Vs.

1.The Superintendent of Police,
Thiruvarur District,
Thiruvarur.

2.The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.

3.Prabhu ... Respondents

Petition under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus to direct the first and second respondents herein to produce the body or person of petitioner's daughter viz., Saranya, the detenue herein and set her at liberty from the illegal custody of the third respondent and his associates forthwith.

For Petitioner : Mr.C.Kasirajan for
Ms.S.Jothivani

For Respondents 1 & 2 : Mr.Abudhukumar Rajarathinam
Govt. Advocate (Crl. Side)

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O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)

The petitioner V.Sundararajan has filed this petition for production of his daughter by name Saranya and set her at liberty from the illegal custody of the third respondent and his associates before this Court.

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2. Even at the time of the admission, respondents 1 and 2 have produced the detenue Saranya. She has appeared before us. We enquired her. According to her, she is 19 years old and her date of birth is 1.06.1987. There is no dispute regarding her age. Hence, we hold that the detenue is a major. On our further enquiry, she has informed us that on 25.01.2006 she married the third respondent Prabhu at Echanari Mariamman Temple, Coimbatore District and she also asserted that from that date onwards i.e. from 25.01.2006, she is living with her husband. She also expressed that she prefers to live with her husband.

3. Taking note of her wish and assertion and also of the fact that she is a major, we are satisfied that she is not under illegal custody or detention of anyone including the third respondent. In such circumstances, no further direction is required as claimed by the petitioner and the detenue is free to decide her future. Accordingly, this petition is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

raa

To

1.The Superintendent of Police, Thiruvarur District, Thiruvarur.

2.The Inspector of Police, Kodavasal Police Station,Thiruvarur District.

3. The Joint Secretary to Government, Public (Law and Order)
Fort St. George, Chennai-9.

4. The Public Prosecutor, High Court, Madras.

+1cc to Ms.S.Jothivani, Advocate Sr 13473

AVA (CO)
km/27.3.

HCP. No.278 of 2006

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